Church
PANORAMA
News of the Episcopal Church

We've had the prophets — What happened to the law?

An outrageous affront to any semblance of an orderly structure in the Episcopal Church took place in Philadelphia on July 29. Four bishops invaded the jurisdiction of the Bishop of Pennsylvania and attempted to ordain 11 women to the priesthood. None of the necessary prerequisites — consents of Standing Committees, availability of jobs, permission of Ordinaries was secured. About 50 priests (possibly 15 or more from this Diocese) participated in the act — which was admittedly one of ecclesiastical disobedience.

The Standing Committee has met several times — and *done nothing.*

At first the delay was ascribed to the fact that the Presiding Bishop had called a special meeting of the House of Bishops. They met in mid-August. They ruled the action wrong and invalid. Bishop Ogilby promised to enforce the canons when he returned.

The bishops involved have been formally charged with violation of their vows. Their course of justice is in operation.

Now it is mid-October. Our Standing Committee has met again — and *done nothing.* They have, perhaps, in another vain hope to avoid facing issues themselves, called for a special General Convention to consider sexism. The Bishop has interviewed some of the offenders. And, that is *all.*

The schism created by the Philadelphia "non-event" is currently effective. The Church *has* been split. For our part, we wonder whether we should participate in any Diocesan activities or in its support until it begins to *be a Diocese* — to observe and enforce its own law. As Dr. Willie said, quoting the Rev. Dr. Martin Luther King, "Justice delayed is justice denied."

CHARGES FILED against FOUR BISHOPS

The Rt. Rev. John M. Allin, Presiding Bishop of the Episcopal Church has announced receipt of formal charges against the four bishops who participated in a service in which 11 women deacons were intended to be ordained to the priesthood in Philadelphia on July 29.

The charges were filed "with heavy hearts, and painfully aware of the seriousness of this act" in four separate papers by the Rt. Rev. Stanley Atkins of Eau Claire, William H. Brady of Fond du Lac, Charles T. Gaskell of Milwaukee, and Albert W. Hillestad of Springfield.

"The issue presented by these charges," according to the four accusers, "is the obedience of Bishops to the Constitution and Canons of the Episcopal Church and the Rubrics of the Book of Common Prayer."

Among the violations cited were the failure of the participating bishops to receive "the recommendations of the several Standing Committees and the request and approvals of the Diocesans of the Deacons;" the bishops "officiated or assisted without the request of the Bishop of Pennsylvania;" and "all of the Deacons were women."

The charges were filed against Daniel Corrigan, retired former Suffragan Bishop of Colorado; Robert L. DeWitt, resigned Bishop of Pennsylvania; Edward R. Welles II, retired Bishop of West Missouri; and Jose Antonio Ramos, Bishop of Costa Rica.

As required by the Canons, Bishop Allin has referred the charges to a panel of three bishops, who, "unless a majority of them shall determine that such charges, if proved, would constitute no canonical offense," will select a Board of Inquiry of five presbyters and five laymen. The responsibility of this board will be to investigate the charges against each of the four bishops and to determine if "there is sufficient ground to put the accused Bishop on his trial."

ARE THEY REALLY PRIESTS?

Despite the ruling by an overwhelming majority of the House of Bishops (93%) that the attempted ordination of 11 women to the priesthood on July 29 was both wrong and invalid, the controversy still continues. The women themselves claim to be priests. One of their supporters, the Rev. H. Francis Hines, part-time Rector of St. Mary's, 18th and Bainbridge, has offered to let them "say Mass." At least one of the women has participated as a concelebrant at an underground Mass with several Roman Catholic priests – themselves under interdict for illicit marriage.

The grounds for not recognizing the validity of the priesthood of these women are not ecclesiastical technicalities. The admitted disobedience on the part of the four bishops and all the participants at the service does make it unlawful and irregular – these are indeed technicalities, albeit important ones. But *invalid* means the women are not priests at all. With one exception (Nicea) the reasons they are not priests would apply whether men or women were involved. If women could be priests, these women are not.

To clarify these terms, we give some definitions and examples:

Irregular: not in accordance with established rules and procedures. It would be irregular for an Episcopalian to receive Holy Communion in a Roman Catholic Church without prior permission and only under certain circumstances.

Unlawful: contrary to specific prohibition. It would be unlawful for a Roman Catholic priest to become Rector of an Episcopal parish.

Invalid: not genuine. It would be invalid if a Vestryman attempted to celebrate the Holy Eucharist.

The 11 women are not valid priests. This is true not because the Bishops so ruled; it would be true regardless of their ruling. Whether the "ordination" be looked at from the point of view of *ancient* belief and practice; medieval, scholastic or traditional Western Catholic authority; from principles used by Eastern Orthodox theologians; or even by modern ecclesiastics, it is still invalid.

The attempted ordination was invalid on *ancient* grounds. The Council of Nicea Canons rule it out on two separate counts: women cannot be priests, and no person can be validly ordained without the permission of his own bishop.

The attempted ordination was invalid on *medieval* grounds. Again, there are two separate counts: women are not proper recipients of Holy Orders, and the intention was defective. (Bishop Ramos' statement and Bishop Corrigan's reply to objections made it most clear that it was a deliberate act of disobedience). And, since the minister must at least intend to do what the Church intends to do (even if ignorant of the Church's intention) and the Church at this time does not intend to make women priests, they could not have done what the Church does not intend. Sacraments, even under the most medieval rules, are not magic. Even bishops are not magicians.

The attempted ordination was invalid on *modern* and Orthodox grounds. Ordination is from and for a community. The ordinands were neither from nor for the Church, nor were the ministers, but openly opposed to it as it now is.

If the 4 bishops and the ordinands wished to constitute themselves as a new schismatic and heretical sect, modern Protestant theology would regard their orders as valid for them in their new group.

Of course, there is real question as to whether the ruling of the House of Bishops as to validity is definitive and final. The 11 women and some of their supporters feel that all of General Convention; i.e. both houses could rule on it, or, possibly the Executive Council of the Church. But in a statement by 10 of them they say, "We are not, however, persuaded that doctrinal decisions belong in a legislative assembly, and call upon the theologians of our Church to offer guidance on the basic question of doctrine and polity."

Others would feel that on a matter such as priesthood for women, which transcends the limited authority of the Episcopal Church, that only an ecumenical council of the scope of Nicea could change the catholic practice of a male priesthood which Nicea so clearly affirmed.

Elsewhere in this issue, we summarize the report of the Bishops' Theological Committee on which they based their decision.

What Next?

As of mid-October, the Bishop and Standing Committee, acting on the advice of the Chancellor, have apparently decided not to certify that the attempted ordination of 11 priestesses on July 29 constituted schism — equivalent to renunciation of the discipline of the Church by the participants.

The Bishop, acting on Informations (allegations of wrongdoing, *not* formal charges) filed by a group of loyalist clergy, has interviewed some of the participants. He has, apparently (the Standing Committee issues no news releases), laid the Informations before the Standing Committee for "Preliminary Consideration." This is required under our Diocesan canons (22.4.2) "for the purpose of determining whether the responsibility of the persons who signed (them), the gravity of the offense charged, and the evidence are such as to warrant a Presentment for trial of the accused.

Some clergy also may file Informations on themselves.

The Bishop is required "to endeavor to adjust the matter to the peace and honor of the Church." The Standing Committee may then serve copies of the Informations on the accused, hold a hearing, and also make further effort to adjust the charges without trial. They may recommend dismissal of the Informations or refer them to the Church Advocate who then starts the trial procedure.

A Condensation of the Report of the Committee on Theology of the House of Bishops

by the Rt. Rev. Arthur A. Vogel, Bishop of West Missouri

It is easier to let the service in Philadelphia be a political victory or defeat on the model of a secular, pluralistic society than it is to witness under present circumstances to the nature of the church as community and the role of the bishop in community. In Christian community we have a responsibility for each other and to each other which is not found in a secular society. The church is community. It's a community of witness to the resurrection of Jesus Christ.

All Christian ministry, whether ordained or not ordained, is for the building up of community. St. Paul speaks about some being apostles, prophets, evangelists, pastors, teachers, but all for the building up of the body.

In the New Testament, the diversity of ministries and activities within the community show the need for a focus of the community's unity, for the coordination of the community's activities, for the promotion of its ministry and for the discernment of the spirit within it.

Even though the bishop presides at the Eucharistic assembly the Eucharist itself is offered by the whole community. The bishop unifies the action of the community by his presiding at the assembly. So the bishop at one time, and in a sacramental manner, represents the Son of God, our Lord Jesus Christ, to the assembly; he represents the people to God; and he represents the church to itself. He represents the unity of the people among themselves to themselves. Bishops, then, are in community, for community. They are the community's servants, enabling the community to be itself, for that is the purpose of all ministry. In the early church, bishops and community were never thought apart. The development of a monarchical episcopate and the prelatical style is a much later development.

Dr. Zizioulas, an Orthodox Patristic scholar writes that the term "the Catholic Church" was first used by Ignatius of Antioch, about the conclusion of the first century. But when Ignatius used the term, he used it in reference to the local church, to the Eucharistic community, not to the church as spread around the world or the known world at that time. Because as the term Catholic was used by Ignatius, it was used in its Greek roots, which means "wholeness," and Ignatius' point is: the whole church is found in the local community, in the Eucharistic community which is centered and focused in the bishop.

The doctor goes on to say that the conferring of orders was restricted to the Eucharistic community and that ordination was "an exclusive right of the bishop, not as an individual, but as the head of this Eucharistic community." It was the Eucharistic context and the place of the bishop in the Eucharistic community which expressed the catholic, whole nature of the church.

Dr. Zizioulas goes on to say that the bishop possessed the exclusive right to ordain "because of his capacity as the head of the Eucharistic community and in relation to his role as the one who offers the entire community in the Eucharist to God, he must himself be existentially related to a community. There is no ministry in the catholic church that can exist in absoluto." He concludes by saying that "there is no apostolic succession which does not go through the concrete community."

The point is, Ordination by the laying of of hands is the culmination of a process which begins in a local community which is to be served by the person to be ordained. And so it is that we require in our procedures that there be recommendations from persons on the local level who know the candidate — from the rector, from the vestry, then from the commission on ministry, then the standing committee, and then the bishop — all of this, you see, showing that the community is in process of stating its intention which is finalized and consummated by the bishop.

Now with that background I'd like to say a little something to you about the nature of irregularity and validity as I am able to understand it and how these words are used in contemporary theology.

Irregularity is a very simple term to understand, and I think by consent it can just be defined as "canonical impediment." If there is a canonical impediment, then something is irregular and on that definition I think there is no problem at all in our saying that the service of ordination in Philadelphia was irregular.

Now the slippery word, the difficult word — because it's used in two different senses, and sometimes the senses are not made clear — is the word valid. There is a newer use of the word valid which has found great currency in ecumenical theology due to the influence of a Roman Catholic scholar, van Beeck. His contention is, that validity means ecclesiastical recognition. Then, in this sense, validity means ecclesiastical recognition. Does a given church as a communion juridically recognize a ministry? If so, it is valid.

The point here is that in this use of the term valid a ministry could be said by one church to be invalid but it would still be a genuine ministry in another church. You see, in this sense validity does not mean true; it does not mean genuine; it merely means that a ministry has been recognized in one ecclesiastical jurisdiction, not another.

The other meaning of validity is the one with which we are all most familiar. This is the one that would be found in the theological manuals. There, validity means efficacious; validity means strength; that what is signified by the act is effected by the act. Here validity means — if there is proper form, matter, minister, intention, and recipient, then *ex opere operato,* by the work worked, the effect is produced. Which is to say, you see, that if these criteria are met, then the covenanted grace that is offered in the sacrament is unquestionably there for someone to receive. There could be no doubt that the covenanted grace was there offered; if these five criteria were met.

There was no doubt about the Philadelphia service of ordination being irregular in the first sense of valid. Proper intention is not just the presence of the right words. There are not words hanging around in abstraction anywhere. Words are always used by someone for some purpose. And so the proper intention of the sacrament must be held by the proper minister. It is the proper minister who must have the proper intention. Now the intention, it seems to me, on the basis of the little theological sketch I have presented to you, the intention of ordination must originate in the community. That's the purpose of our having all the certification through the parish and the diocese. The intention must originate in the community and be sacramentally personified by the community's bishop or his delegate within the episcopal college, for community must be maintained at all cost. Such authorization is necessary or the people and the bishop would not be acting as a community, as one, as a church. Where there is no such authorization, where jurisdiction of one bishop and community are usurped by a bishop or bishops without jurisdiction, community and collegiality are broken. But the ordination, I remind you, is entrance into the ministerial community.

And so the question to be posed is, can those who fracture community, by the very act of fracture, admit to the community? The only answer I can see is no. I would conclude, then, that only a service, only a rite, has been undergone in the Philadelphia service.

I think there are two levels of communication going on in that service. First of all, there are the words of the service itself as printed in the community's book, the Prayer Book, which we read. That's one message. The other message is the fracturing of the episcopal community by the way the service was done. That is another message, and I think it contradicts the first message.

So we find ourselves in what psychologists call a double bind situation. This is a type of communication in which there is great clinical evidence to show that it produces schizophrenia. The wife says to the husband, "Go ahead, I don't care." And does he go or does he stay? If he goes, she says, "I really told you not to go." If he stays, she says, "Well, I said you could go."

Which message should the church believe? One is wrong either way, because no one thing has been said, and if no one thing has been said, I think no one thing has been done.

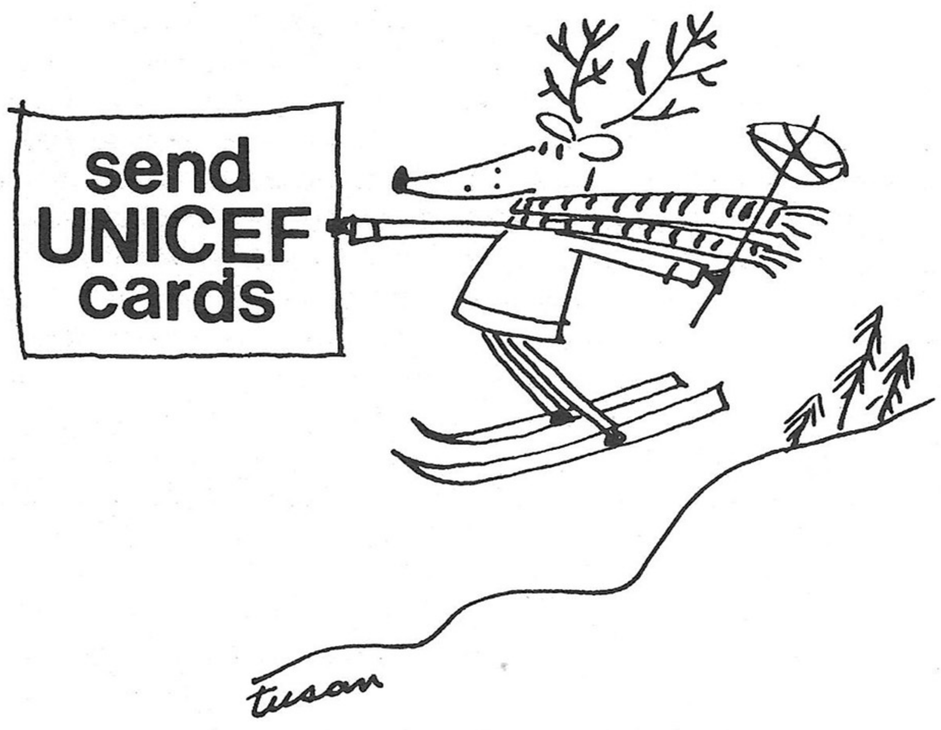
I've been touched by the witness and testimony of my brothers at this meeting. I can accept the service in which they took part as an act of outreach and an act of concern as it was intended to be. But I cannot accept it as an ordination, because the ingredients of ordination simply were not present.

THAT COMMITTEE AGAIN

The irrepressible "official" Diocesan Committee to Plan for and Promote the Cause of the Ordination of Women to the Priesthood, created under questionable authority by the Council has initiated a new strategy.

In a five-page "Fact and Fallacy sheet" it has challenged the ruling of the House of Bishops that the attempted ordination of priestesses was invalid and wrong. It attacks the theological basis of the ruling (as summarized elsewhere in this issue), and the authority of both the House of Bishops and of General Convention. It quotes the noted attorney, William Stringfellow (of Fr. Berrigan fame) as alleging that a *Diocese* may really decide the matter on its own. Presumably the Committee, having encouraged — if not engineered — lawlessness by peripatetic bishops, is seeking to escalate the resultant schism by splitting Diocese from Diocese over the issue.

Fuel for their atomizer was provided by the Rev. F. J. van Beeck, S.J., who says Bishop Vogel misquoted him. Fr. van Beeck says they were "true" ordinations, and added, "There is a good case for considering them not only true, but de facto valid." However, he admits "for a sacrament to be true and valid, there must be the intention of doing what the church does," and Bishop Vogel had pointed out that the church had not intended to make women priests.



Colloquium on Constitutional Competence

In the Community Hall of Christ Church, Philadelphia, about 40 persons met recently with the Bishop of Pennsylvania and four panelists for a Colloquium on Constitutional Competence, sponsored by the Diocesan Council. Chaired by Howard Kellogg, Esq., the panelists arrived at amazingly similar conclusions, albeit with different approaches and emphases.

The Rev. Ronald Whittall, consultant on the structure of General Convention, spoke on the link between structure and authority and the importance of unwritten agreements in the life of the Church, the nature of Deputies and their responsibilities, and the ultimate function of personal pledges as a power base in lay control of the Church.

Stewart Dalzell suggested that the Council of the Diocese had the right to "make a fool of itself" and speak on any issue. "As an Anglican who regards himself as a Catholic, I deplore this anarchy," he said.

The Rev. John Schultz spoke of the ways the Church had protected itself in the past from "false prophets, anti-popes, renegade bishops, and even widespread misunderstanding. . .as. . .when a majority of Christians professed inadequate views on the nature of Christ Himself." He outlined the conciliar view of the Church and emphasized the need for a constitutional episcopate, concluding with the assertion that no Council or Bishop had a right to change the faith.

The Very Rev. Roland Foster, Dean of General Theological Seminary in New York, after agreeing with Fr. Schultz and Mr. Dalzell in substance, outlined historical precedents for Councils to speak on any issue. He cautioned that they should restrict themselves to addressing fellow Christians within their own denominational authority and framework, rather than presuming to speak on their behalf to society at large.

Prominent in the general discussion that followed was regret that the picture of a diocese as a group of Christians under a Bishop had been clouded by size, structure, and loss of trust.

Tape recordings of the session will be available from the Diocesan Audio-Visual Library.

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